

REMARKS

Claims 29-31 have been added herein; hence, claims 1-31 are currently pending. Applicants respectfully request reconsideration of the captioned application in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 USC § 102

Sections 1 and 2 of the office action rejected claims 20-22 under 35 USC 102(b) as allegedly being anticipated by U.S. Patent No. 4,895,341 to Brown et al (“Brown”). Applicant respectfully traverses this rejection.

Claim 20 recites, “means situated at the first and second ends of the plunger for guiding the plunger” and thus includes an element presented in “means-plus-function” form in accordance with 35 USC 112, paragraph 6, which states,

“An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.”

Claims 21 and 22 depend from claim 20 and add additional means-plus-function limitations.

These claims thus cover the structure described in the specification for accomplishing the claimed functions. In accordance with *In re Donaldson Co.*, 16 F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994), the claim does not include *any and all* means for accomplishing the recited structure – only the disclosed structure and equivalents.

Regarding claims 20-22, the office action merely states that Brown discloses

“means (88,254) situated at the first and second ends of the plunger for guiding the plunger. It is noted that means (B) is provided for containing the pressure of the flow tube (C). The cavity in which the springs (104,268) are disposed provides means for damping any oscillations of the plunger.”

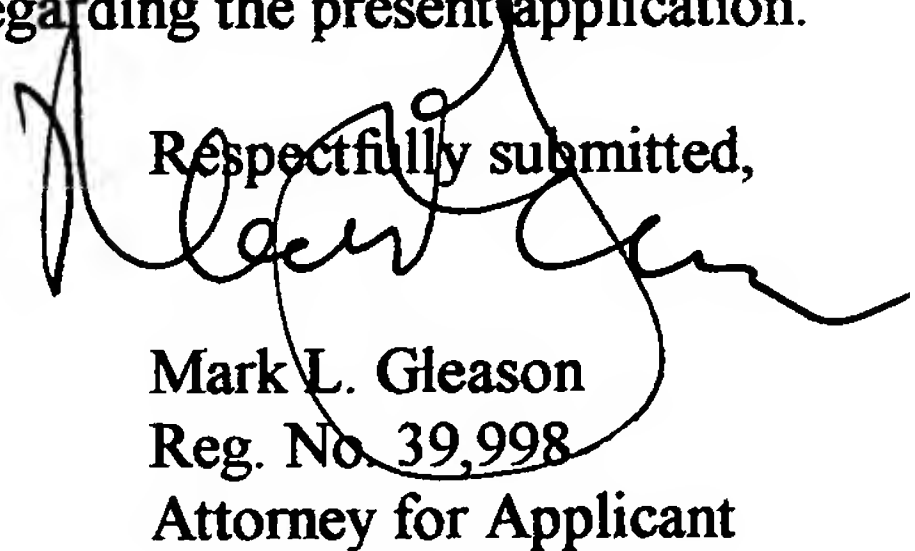
MPEP 2183 provides useful guidelines for examination of means-plus-function claim elements, requiring “an explanation and rationale in the Office action as to why the prior art element is an equivalent.” The present office action fails to identify where Brown discloses the structure provided in the specification corresponding to the recited functions, or equivalents. The office action therefore fails to establish a *prima facie* case of equivalence of the means-plus-function claim elements.

Hence, Applicant respectfully requests the rejection of claims 20-22 be withdrawn.

Conclusion

As evidenced by the foregoing amendments and remarks, Applicants have made a genuine effort to address each concern raised in the office action. All of the pending claims are believed to be in condition for allowance. The Examiner is invited to contact the undersigned attorney with any concerns or questions regarding the present application.

Respectfully submitted,



Mark L. Gleason
Reg. No. 39,998
Attorney for Applicant

LOCKE LIDDELL & SAPP LLP
600 Travis, #3400
Houston, Texas 77002-3095
952-474-3701
mgleason@lockeliddell.com
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